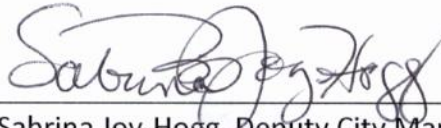


To the Honorable Council
City of Norfolk, Virginia

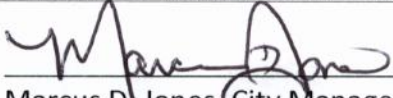
November 17, 2015

From: David S. Freeman, AICP
Director of General Services

Subject: Richmond 20Mhz, LLC d/b/a
NTELOS WIRELESS - Termination of
Easement at 7245 Oakmont Drive,
Norfolk, Virginia

Reviewed: 
Sabrina Joy-Hogg, Deputy City Manager

Ward/Superward: 3/7

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-2**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Richmond 20Mhz, LLC d/b/a NTELOS WIRELESS
7501 Boulders View Drive
Richmond, Virginia 23225

III. **Description:**

This agenda item is an ordinance to terminate an easement granted to Richmond 20Mhz, LLC d/b/a NTELOS WIRELESS ("Ntelos") for the construction and operation of telecommunications equipment. As of March 31, 2016, Ntelos will no longer provide wireless cell phone services to the Hampton Roads area and has requested a termination of the easement located at 7245 Oakmont Drive, Norfolk, Virginia. Termination will be effected by Quitclaim Deed.

IV. **Analysis**

Ntelos has determined that the easement located at 7245 Oakmont Drive is no longer required for their business purposes and wishes to terminate the easement effective March 31, 2016. Upon written request, Ntelos will remove all facilities and restore the premises to its original condition.

V. **Financial Impact**

This easement will be terminated as of March 31, 2016. Annual compensation paid for the easement in the amount of seven thousand (\$7,000) dollars will end with termination of the easement. The initial bond in the amount of \$50,000 will be refunded to Ntelos.

VI. Environmental

There are no known environmental issues associated with this property.

VII. Community Outreach/Notification

N/A

VIII. Board/Commission Action


N/A

IX. Coordination/Outreach

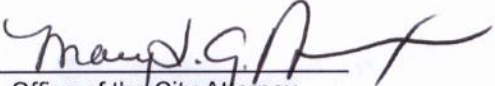
This letter and ordinance have been coordinated with the Department of General Services – Office of Real Estate and the City Attorney's Office.

Supporting Material from the City Attorney's Office:

- Ordinance
- Proposed Quitclaim Deed with Legal Description and Property Lot Map

Form and Correctness Approved: 

By


Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved:

By 

DEPT. General Services

ORDINANCE No.

AN ORDINANCE APPROVING THE CONVEYANCE BY QUITCLAIM DEED OF A UTILITY EASEMENT FROM RICHMOND 20MHz, LLC d/b/a NTELOS TO THE CITY OF NORFOLK AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE QUITCLAIM DEED OF EASEMENT ON BEHALF OF THE CITY.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the conveyance by quitclaim deed of a utility easement, shown on Exhibit A, from Richmond 20MHz, LLC d/b/a NTELOS, to the City of Norfolk is hereby approved.

Section 2:- That the City Manager is authorized to accept the Quitclaim Deed of Easement, a copy of which is attached as Exhibit A, and to do all things necessary and proper to effect the conveyance of the easement to the City of Norfolk.

Section 3:- That this ordinance shall be in effect from and after its adoption.

Prepared by: Office of the Norfolk City Attorney
Mary L. G. Nexsen, Deputy City Attorney (VSB#17650)
Return to: Office of the Norfolk City Attorney
Consideration: \$0.00

This deed is exempt from the recordation taxes pursuant to
Section 58.1-811(D) of the Code of Virginia, 1950, as amended

THIS QUITCLAIM DEED ("Deed"), made this ____ day of _____, 2015, by
and between **RICHMOND 20MHz, LLC d/b/a NTELOS**, ("Grantor") whose address is 7501
Boulders View Drive, Richmond, Virginia 23225 and the **CITY OF NORFOLK**, a municipal
corporation of the Commonwealth of Virginia, ("Grantee"), whose address is 810 Union Street,
Norfolk, Virginia 23510.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, the
receipt of which is hereby acknowledged by the Grantor, the Grantor hereby quitclaims unto the
said City of Norfolk/Grantee, the following property as shown on Exhibit A attached hereto and
made a part of this Deed, with improvements thereon and appurtenances thereunto pertaining.

This conveyance is made subject to easements, restrictions, conditions and reservations
whether or not of record.

In compliance with the provisions of Section 15.2-1803 of the Code of Virginia, 1950, as
amended, this Deed is in the form approved by the City Attorney for the City of Norfolk, and is
accepted by the City Manager, on behalf of the City of Norfolk, he having been authorized to so
act on behalf of the City of Norfolk by ordinance numbered # _____ duly adopted by the
Council of the City of Norfolk at the meeting held on _____, 2015, which approval
and acceptance are evidenced by the execution of this conveyance by the City Attorney and by the
City manager, or by their duly authorized designees.

Witness the following signatures and seals:

RICHMOND 20MHz, LLC
d/b/a NTELOS

Title: _____

COMMONWEALTH OF VIRGINIA
CITY OF _____

I, _____, a Notary Public in and for the
Commonwealth of Virginia, in the City of _____, do hereby certify that
_____, _____, (Title) on
behalf of Richmond 20 MHz, LLC d/b/a NTELOS, whose name is signed to the foregoing deed,
has acknowledged the same before me in the City and State aforesaid.

Given under my hand this ____ day of _____, 2015

Notary Public

The signature of Marcus D. Jones, City manager, or his duly authorized Deputy City Manager, is
affixed hereto on behalf of the Council of the City of Norfolk, Virginia, pursuant to an ordinance
duly adopted by the City Council, to evidence the acceptance of this Quitclaim Deed by the City,
in accordance with Section 15.2-1803, Code of Virginia, 1950, as amended.

CITY OF NORFOLK

By: _____
City Manager

ATTEST:

City Clerk

COMMONWEALTH OF VIRGINIA
CITY OF NORFOLK, to-wit:

I, _____, a Notary Public in and for the City of Norfolk,
in the Commonwealth of Virginia, whose term of office expires on the ____ day of
_____, 20__, do hereby certify that Marcus D. Jones, City manager, or his
duly authorized Deputy City Manager, and R. Breckenridge Daughtrey, City Clerk, respectively,
of the City of Norfolk, whose names as such are signed to the foregoing Quitclaim Deed, have
acknowledged the same before me in my City and State aforesaid.

Given under my hand this ____ day of _____, 2015.

Notary Public

CONTENTS APPROVED:

Department of General Services

FORM AND CORRECTNESS APPROVED:

Mary L. G. Nexsen
Deputy City Attorney

EXHIBIT A

LEGAL DESCRIPTION

All that certain lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being further described as follows: COMMENCING at a point that is the northwest corner of a parcel labeled, "Property of Virginia Electric and Power Company," said parcel being shown on a plat entitled, "Subdivision of Oakmont North, Section One," said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia, in Map Book 23 at Page 68; thence, from the point of commencement thus described, S 08°-26'-53": E, 40.44 feet, more or less, along the western line of said property of Virginia electric and Power Company to the point of BEGINNING; thence, from the point of beginning thus described, S 08°-26'-53" E, 20.07 feet, more or less, to a point; thence, S 76°-43'-55" W, 34.31' to a point; thence, N 13°-16'-05" W, 20.00 feet to a point; thence, N 76°-43'-55" E, 36.00 fee, more or less, to the point of beginning. The address of the property is 7245 Oakmont Drive.

The above-described parcel contains 0.016 acre of land, more or less.

SITE INFORMATION

OPIN: 1449480343
 DEED REF: PDMU-1
 JURISDICTION: CITY OF NORFOLK
 DISTRICT:
 ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY MAPS, THE PROPOSED TELECOMMUNICATIONS SITE IS LOCATED IN ZONE "X", COMMUNITY PANEL NO. 5101040055, DATED 8-2-09.

NO WETLANDS AREAS HAVE BEEN INVESTIGATED BY THIS SURVEY

LEGAL DESCRIPTION

LEASE AREA
 BEGINNING AT THE NORTHWEST CORNER OF PROPERTY OWNED BY WINDHAM POWER, THENCE ALONG THE WESTERN LINE OF WINDHAM POWER S 08-20-51 E, A DISTANCE OF 45.14' TO A POINT, SAID POINT BEING THE NORTHWEST CORNER AND PLACE OF BEGINNING OF A PROPOSED LEASE AREA, THENCE ALONG S 08-20-51 E, A DISTANCE OF 20.07' TO A POINT, SAID POINT, THENCE S 78-43-55 E, A DISTANCE OF 24.31' TO A POINT, THENCE N 13-10-05 E, A DISTANCE OF 10.71' TO A POINT, THENCE N 8-43-52 E, A DISTANCE OF 22.81' TO A POINT, SAID POINT BEING THE PLACE OF BEGINNING AND CONTAINING 101.57' OF LAND.

ACCESS & UTILITY EASEMENT

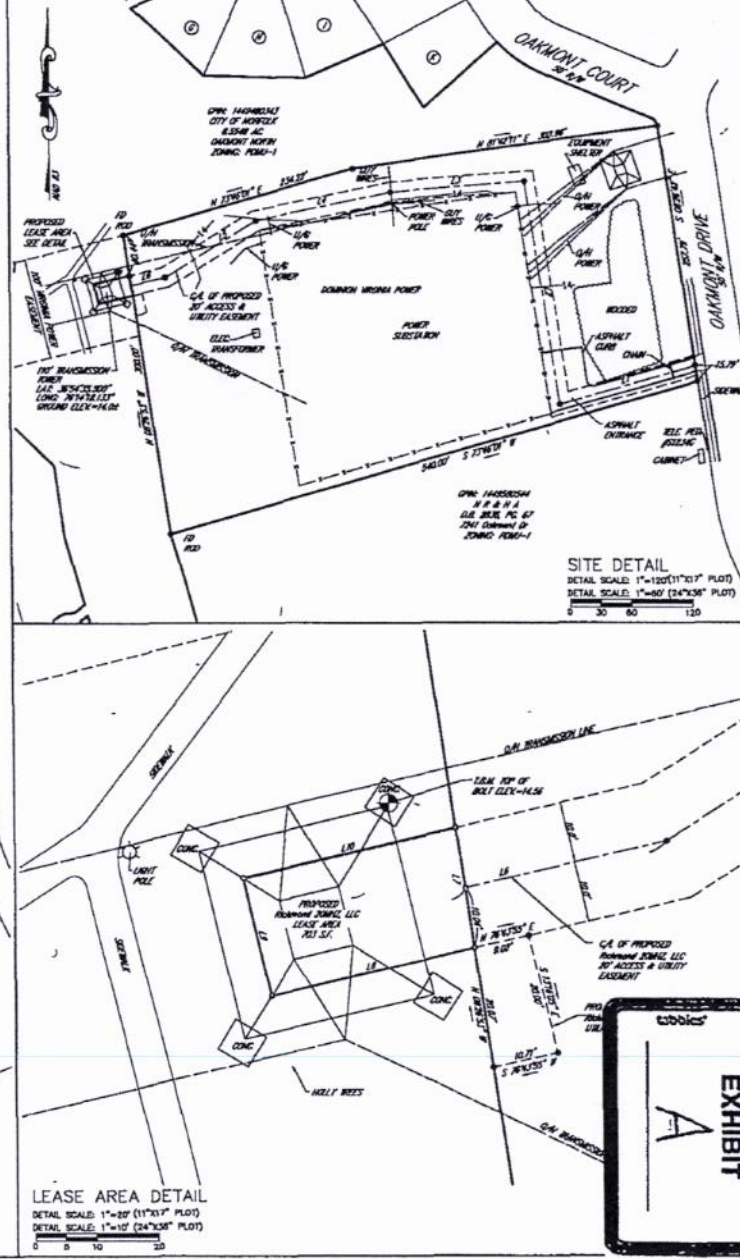
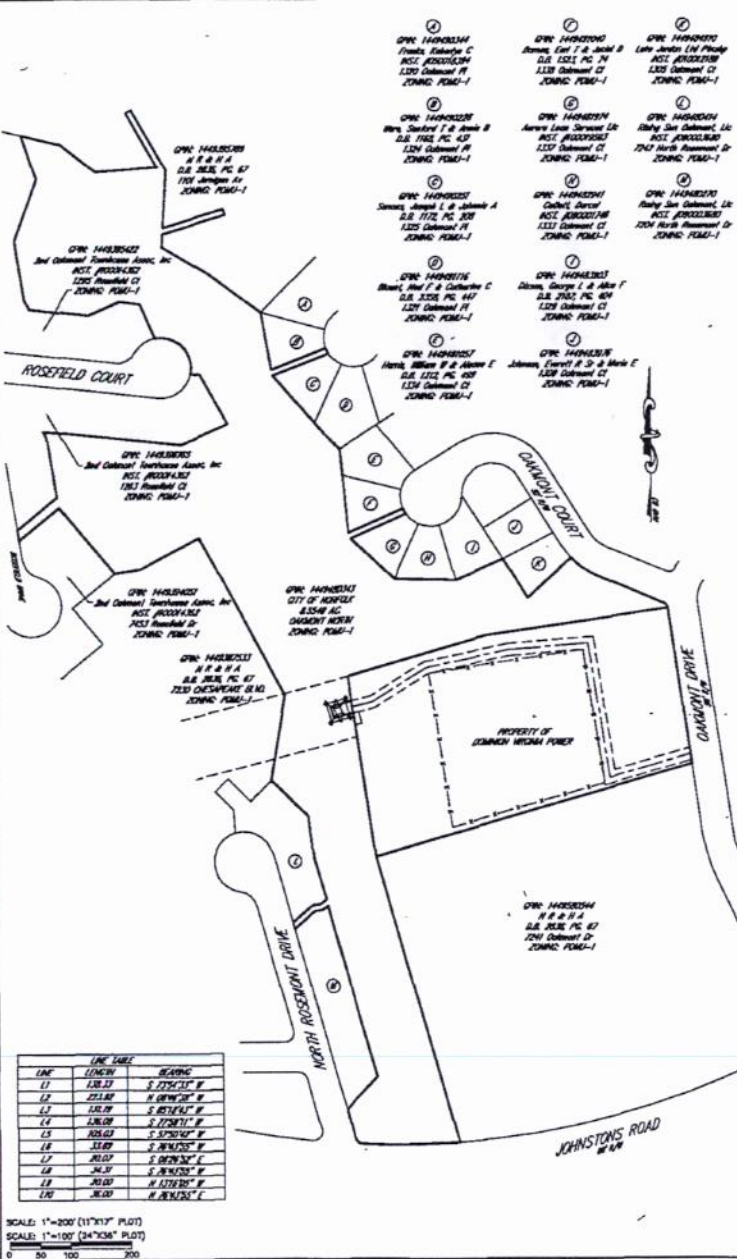
ACCESS & UTILITY EASEMENT
 BEGINNING AT THE SOUTHEAST CORNER OF PROPERTY OWNED BY WINDHAM POWER, THENCE ALONG THE WESTERN LINE OF WINDHAM POWER S 13-10-05 E, A DISTANCE OF 10.71' TO A POINT, THENCE S 78-43-55 E, A DISTANCE OF 22.81' TO A POINT, THENCE N 8-43-52 E, A DISTANCE OF 22.81' TO A POINT, THENCE N 13-10-05 E, A DISTANCE OF 10.71' TO A POINT, THENCE N 8-43-52 E, A DISTANCE OF 22.81' TO A POINT, SAID POINT BEING THE PLACE OF BEGINNING AND CONTAINING 101.57' OF LAND.

PROJECT INFORMATION

SITE NAME: OAKDALE FARMS
 SITE NUMBER: NR5225-D
 SITE ADDRESS: OAKMONT ROAD
 NORFOLK, VA 23513
 OWNERS NAME: CITY OF NORFOLK
 201 GRANBY STREET
 NORFOLK, VA 23510

TOWER COORDINATES
 LATITUDE: N 38°54'25.500" LONGITUDE: W 76°14'18.133"
 GROUND ELEVATION: 14.08
 PARAPET ELEVATION: N/A
 BASIS OF ELEVATIONS: GPS OBSERVATIONS RECORDED ON 11-5-2010
 SUB-METER ACCURACY TO NEAREST FOOT
 BASIS OF BEARINGS: GPS OBSERVATIONS RECORDED ON 11-5-2010
 SUB-METER ACCURACY TO NEAREST FOOT

NOTES:
 LATITUDE AND LONGITUDE SHOWN HEREIN ARE BASED ON NAD83 AND ELEVATIONS WIND 1988.
 A BOUNDARY SURVEY WAS NOT PERFORMED FOR THE PREPARATION OF THIS PLAT. PROPERTY LINES AS SHOWN WERE COMPILED FROM THE MAPS, DEEDS & PLATS OF RECORD. HALDER SURVEYS, P.C. MAKES NO WARRANTY EITHER EXPRESSED OR IMPLIED AS TO THE ACCURACY OF THE BOUNDARIES AS SHOWN ON THIS MAP.



SLATE 295
 8011 ARBORETUM PARKWAY
 RICHMOND, VIRGINIA 23236
 TEL: (804) 247-3686

CLIENTS:
 BC Architects Engineers, P.C.
 5559 Columbia Pike, Suite 101
 Falls Church, VA 22041-2868

CONSULTANT:

 10400 CHESTER ROAD
 CHESTER, VA 23831
 PHONE: 804-748-8707

REVISIONS

NO	DATE	DESCRIPTION	BY
1	4-25-11	CHANGE LEASE SIZE	RL

SITE NUMBER
NR5225D
 SITE NAME:
OAKDALE FARMS
 SITE ADDRESS:
 OAKMONT DRIVE
 NORFOLK, VA 23510

SEAL:

 RONALD L. LANG
 Lic. No. 003004
 4-25-2011
 LAND SURVEYOR

DATE: 11-8-2010
 SHEET TITLE:
SURVEY PLAT
 SHEET NUMBER:
SP-1